

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Review Petition No.14 of 2007
in
Second Appeal 231 of 2004.

Ramdas G. Thakur ..Petitioner

versus

Parshuram G. Thakur
& Others ..Respondents

Ms.Gauri Godse for the Petitioner

Mr.P.S.Dani for the Responders

Coram : S.R.Sathe, J.
Dated : 26th Nov., 2007

P.C.

1. Heard both the learned Advocates.

2. From the perusal of the record and from the submissions made before me, one thing is certain that the matter was heard at length by this Court. However, according the learned advocate for the application she was directed to produce certain documents and she had submitted it on 5.7.2007. Thereafter the matter was adjourned to 10.7.2007 and it was for disposal. It seems that the learned advocate for the application was under the impression that the matter will be again heard on 10.7.2007. According to her, this impression was

gathered by her as a result of the roznama or Order passed on the farad sheet on 5.7.2007 which says "Place the matter on 10.7.2007 for disposal". Merely because the Farad Order dated 5.7.2007 shows accordingly, it cannot be said that the matter was to be heard again on 10.7.2007. It may be that only with a view to give opportunity to the applicant to produce the documents whichever is in her custody, this Court may have directed her to produce the documents and accordingly it was actually produced by her. So, even otherwise there was no necessity to hear the matter again and the same has been disposed of on 10.7.2007 with elaborate order after considering all the record before me.

3. From the perusal of the application it is very clear that the applicant has not made out any case for review as contemplated under Rule 47 of CPC. There is no apparent error on the face of record, nor there is any other circumstance which would warrant review of the Order. Hence, review application is rejected.

(S.R.Sathe, J.)

